

CITY OF HIGH POINT
NORTH CAROLINA
**ZONING MAP AMENDMENT (REZONING)
PROTEST PETITION INSTRUCTIONS**

North Carolina zoning law [G.S. 160A-385(a)] authorizes the use of a protest petition where property owners are opposed to a requested change of zoning district that involves either their own property or nearby property. The protest petition must be submitted to the City Council prior to the public hearing on the requested change. In absence of evidence to the contrary, the City may rely on the county tax listing to determine the owners of potentially qualifying areas. If it is determined to be a valid protest petition a three-fourths majority vote (or 7 Council members) shall be required to approve the rezoning change. However, vacant positions on City Council or Council members that recuse themselves from voting are not considered in determining votes needed for the $\frac{3}{4}$ majority.

A protest petition is considered valid if:

- 1) **It is submitted on a form furnished by the Planning and Development Department** (*See Attachment*).
- 2) **It is properly completed.** The first signature block on the form should be completed by a property owner willing to serve as the person to contact regarding the petition. Please be sure that full signatures and street addresses are provided, and that names are legibly printed on the line next to each signature. If the printed name is not legible, the signature will not be counted. The second page of the form (additional signature sheet) may be reproduced as often as necessary for additional signatures. All owners, as listed on the property deed, are required to sign the petition in order for the property to be counted in opposition. (***Example: If a property is jointly owned by husband and wife, both must sign the petition, or the property will not be counted in determining the validity of the protest petition.***)
- 3) **It is received in a timely manner.** The validation process is performed by the Planning and Development Department and certified by the City Clerk. The protest petition must be received in time to allow at least two normal working days (excluding Saturdays, Sundays and legal holidays) to determine its sufficiency and accuracy. (*For example: If the City Council public hearing on a rezoning is scheduled for a Monday, the protest petition must be received no later than 5:00 p.m. on the preceding Wednesday.*)
- 4) **It contains signatures necessary for validation.** Although others may sign the petition, a valid protest petition must be signed by:
 - The property owner(s) of at least 20% of the land area associated with the proposed zoning site; **OR**
 - The property owners of at least 5% of the land area within 100-feet of the zoning site.A street right-of-way shall not be considered in computing the 100-foot buffer area as long as that street right-of-way is 100 feet wide or less. If only a portion of a larger parcel is proposed to be rezoned, the above noted 100-foot buffer area shall be measured from the property line of that entire parcel, not just the area proposed to be rezoned.
- 5) **A protest petition does not apply with regard to any zoning map amendment that initially zones property added to the City's jurisdiction as a result of annexation, nor does it apply to Special Use Permit cases.**

The completed protest petition should be returned to the Planning and Development Department so that validation by the staff and certification by the City Clerk can occur. Council will be informed by staff of the submittal of a protest petition and whether it has been validated prior to the start of the public hearing for the rezoning case.

If a property owner should wish to remove his or her name after a protest petition has been validated, the owner must submit their withdrawal in writing prior to the City Council's vote. For further information regarding protest petitions, contact the Planning and Development Department at 883-3328 or 383-3309.

PLANNING AND DEVELOPMENT DEPARTMENT



PROTEST PETITION

CITY OF HIGH POINT
NORTH CAROLINA

OFFICIAL USE ONLY	
Date Submitted: _____	Valid Petition
Petition verified by: _____	<input type="checkbox"/> YES
	<input type="checkbox"/> NO

Rezoning Case #: _____ Applicant/Owner: _____

Location: _____

Request to rezone from: _____. To: _____

TO THE CITY COUNCIL OF THE CITY OF HIGH POINT:

We, the undersigned property owners, stand in opposition to the above noted zoning map amendment (rezoning) request:

PETITION CONTACT PERSON	
(1) _____	_____
NAME (Print)	NAME (Signature)

ADDRESS	
PHONE NUMBER(S) (W) _____	(H) _____
<p>Contact Person please return Protest Petition to: City of High Point Planning & Development Department 211 S. Hamilton Street, Rm. 316 P.O. Box 230 High Point, NC 27261 (336) 883-3328</p>	

(2) _____

NAME (Print) _____ NAME (Signature) _____

ADDRESS _____

(3) _____

NAME (Print) _____ NAME (Signature) _____

ADDRESS _____

(4) _____

NAME (Print) _____ NAME (Signature) _____

ADDRESS _____

(5) _____

NAME (Print) _____ NAME (Signature) _____

ADDRESS _____



PROTEST PETITION ADDITIONAL SIGNATURE SHEET

Rezoning Case #: _____ Applicant/Owner: _____

Location: _____

Request to rezone from: _____. To: _____



Continue numbering from previous sheet

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NAME (Print) NAME (Signature)

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NOTE: This sheet is not valid unless submitted with cover sheet.

Page ____ of ____